

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**LA UNION DEL PUEBLO ENTERO, et al., §
Plaintiffs, §**

v. §

**GREGORY ABBOTT, et al. §
Defendants. §**

**5:21-CV-0844-XR
(Consolidated Cases)**

**DEFENDANT TRAVIS COUNTY DISTRICT ATTORNEY JOSÉ GARZA’S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO
PLAINTIFFS HOUSTON AREA URBAN LEAGUE, DELTA SIGMA THETA
SORORITY, INC., THE ARC OF TEXAS, MI FAMILIA VOTA, MARLA LÓPEZ,
MARLON LÓPEZ, PAUL RUTLEDGE, AND JEFFREY LAMAR CLEMMONS’
SECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE
RELIEF [ECF NO. 199]**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant Travis County District Attorney José Garza (“District Attorney Garza”) and files this Unopposed Motion for Extension of Time to File Response to Plaintiffs’ Second Amended Complaint [ECF No. 199] filed by Plaintiffs Houston Area Urban League, Delta Sigma Theta Sorority, Inc., The Arc of Texas, Mi Familia Vota, Marla López, Marlon López, Paul Rutledge, and Jeffrey Lamar Clemmons.¹ In support thereof, District Attorney Garza states as follows:

I.

HAUL Plaintiffs filed their Second Amended Complaint for Declaratory and Injunctive Relief on January 18, 2022 [ECF No. 199]. District Attorney Garza was served with the Second Amended Complaint on February 17, 2022, making his current answer due March 10, 2022.

¹ Collectively referred to as “HAUL Plaintiffs”.

District Attorney Garza respectfully requests that the Court grant a five (5) business-day extension of time to file his Response to HAUL Plaintiffs' Second Amended Complaint. District Attorney Garza does not seek this motion for delay, but for good cause. This motion will not prejudice Plaintiffs as they do not oppose the relief requested. This extension is necessary to permit District Attorney Garza and his counsel sufficient time to further explore the appropriate responsive pleading to be filed on behalf of District Attorney Garza at this time. The extension of time is warranted in the interest of justice, and to conserve the resources of the parties.

Pursuant to Local Rule CV-7(i), counsel for District Attorney Garza has conferred with HAUL Plaintiffs' counsel regarding the relief requested in the Motion. HAUL Plaintiffs do not oppose this extension.

II. CONCLUSION

For the foregoing reasons, the Court should grant District Attorney Garza's unopposed motion for extension of time to file his Response to HAUL Plaintiffs' Second Amended Complaint, up to and including March 17, 2022.

Respectfully submitted,
DELIA GARZA
County Attorney, Travis County
P. O. Box 1748
Austin, Texas 78767
Telephone: (512) 854-9513
Facsimile: (512) 854-4808

SHERINE E. THOMAS
State Bar No. 00794734
Sherine.Thomas@traviscountytexas.gov
LESLIE W. DIPPEL
State Bar No. 00796472
Leslie.Dippel@traviscountytexas.gov

By: /s/ Anthony J. Nelson
Anthony J. Nelson
State Bar No. 14885800
Tony.Nelson@traviscountytx.gov
Patrick T. Pope
State Bar No. 24079151
Patrick.Pope@traviscountytx.gov

**ATTORNEYS FOR DEFENDANT
JOSÉ GARZA, IN HIS OFFICIAL CAPACITY
AS TRAVIS COUNTY DISTRICT ATTORNEY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this motion was served through the Court's CM/ECF Document Filing System upon each attorney of record and the original upon the Clerk of Court on this the 10th day of March, 2022.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorneys

CERTIFICATE OF CONFERNCE

I certify that on March 9, 2022, counsel for Travis County District Attorney José Garza conferred with HAUL Plaintiffs' counsel regarding the filing of Travis County District Attorney José Garza's Unopposed Motion for Extension of Time to File Response to HAUL Plaintiffs' Complaint. Counsel for HAUL Plaintiffs indicated they are UNOPPOSED to this motion.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorney